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REMARKS

Claims 9 and 31-40 are pending in the application. Claims 9, 33, 36, and 39 are independent.

Claims 9 and 31-40 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,522,075 ("Robinson").

In response, claims 9, 33, and 36 have been amended to clarify at least one distinction between the present invention and Robinson. Specifically, amended claim 9 requires allowing the guest software to attempt the operation within said processor mode in response to determining that the attempt would fail if the guest software was running outside said processor mode. Amended claims 33 and 36 include analogous limitations. Robinson does not describe this limitation. Robinson describes that when the processor attempts to execute a sensitive instruction when in VM mode, it traps to the VMM to emulate the instruction outside the VM mode (see column 12, lines 52-59), which is the opposite of allowing the sensitive instruction to be attempted within the VM mode.

Claim 39 is also distinguishable from Robinson, because Robinson does not describe a virtualization trap generated in response to an attempt of guest software to perform an operation restricted by said processor mode *and a determination that the attempt would succeed if the guest software was running outside the virtual machine*.

Therefore, Robinson does not anticipate any of independent claims 9, 33, 36, or 39, or of any of the dependent claims of the application, which, based at least on their dependency on one of claims 9, 33, 36, or 39, include at least one limitation not disclosed by Robinson. Accordingly, the withdrawal of the rejections of claims 9 and 31-40 is respectfully requested.

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CONCLUSION

Based on the foregoing, it is respectfully submitted that the rejections of claims 9
and 31-40 have been overcome, and that claims 9 and 31-40 are in condition for
allowance. The issuance of a Notice of Allowance is therefore requested. Please charge
any necessary fees, including extension fees, to our Deposit Account No. 50-0221.

Respectfully submitted,

Date: April 14, 2008

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